

Docket No: 10-0011
Bench Date: 7/28/10
Deadline: N/A

MEMORANDUM

TO: The Commission

FROM: Terrance Hilliard, Administrative Law Judge

DATE: July 15, 2010

SUBJECT: Illinois Commerce Commission
On It's Own Motion
-vs-
Illinois Bell Telephone Company

Investigation as to whether Illinois Bell Telephone Company's residential services are properly, according to the terms of Section 13-502 of the Public Utilities Act, classified in Illinois MSA-1 as competitive.

Staff's Motion to Dismiss Investigation as to whether Illinois Bell Telephone Company's residential services are properly, according to the terms of Section 13-502 of the Public Utilities Act, classified in Illinois MSA-1 as competitive.

RECOMMENDATION: Dismiss this Docket with prejudice.

In January 2010, the Commission initiated an investigation of whether Illinois Bell Telephone Company's residential services are properly, according to the terms of Section 13-502 of the Public Utilities Act, classified in Illinois MSA-1 as competitive.

On June 15, 2010, the Governor signed SB 107, as Public Act 96-927. Public Act 96-927 permits telecommunications carriers to elect to have the rates, terms, and conditions of their competitive retail telecommunications services solely determined and regulated pursuant to terms of Section 13-506.2 of the Public Utilities Act. Section 13-506.2 specifies that for geographic areas where a telecommunications carrier elects market regulation, the Electing Provider's competitive retail telecommunications services and all recurring and nonrecurring charges associated with, related to or used in connection with such services, shall be classified as competitive without further Commission review.

On June 28, 2010 Illinois Bell Telephone Company submitted a Notice of Election for Market Regulation to the Commission. Illinois Bell Telephone Company's Election of market regulation pursuant to Public Act 96-927 resolves by operation of law

the Commission's investigation into whether Illinois Bell Telephone Company's residential services are properly, according to the terms of Section 13-502 of the Public Utilities Act, classified in Illinois MSA-1 as competitive. The Illinois Bell Telephone Company residential services that are the subject of this proceeding are, according to the terms of PA 96-927 and Illinois Bell Telephone Company's Election of market regulation, by operation of law classified in Illinois MSA-1 as competitive.

Staff has moved without objection to dismiss this docket, as being statutorily moot.

I recommend that this docket be dismissed, with prejudice.

TH:fs